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MAY 08 2006

**OFFICE OF PETITIONS**

[272] Attorney Docket No. : ADP-238

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Donald J. Ames, Ellen K. Brackman, and Donald L. Guile  
Serial No. : 10/738,425  
Filed : December 16, 2003  
For : CREEP RESISTANT ZIRCON REFRACTORY MATERIAL  
USED IN A GLASS MANUFACTURING SYSTEM  
Examiner : David R. Sample  
Group : 1755  
Date of mailing of Notice of Allowance and Fee(s) Due: April 20, 2005

Mail Stop 313(c)  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION UNDER (37 C.F.R. §1.313(c))**  
**WITHDRAWAL FROM ISSUE--ISSUE FEE PAID**

1. Applicants petition that the above identified application be withdrawn from issue.

The issue fee was paid on April 20, 2005.

2. Reason for withdrawal from issue:

Applicants seek withdrawal from issuance for consideration of a Request for Continued Examination (RCE) in compliance with §1.114, which is submitted herewith.

3. Petition fee (37 C.F.R. § 1.17(h)):

Please charge Deposit Account No. 11-1158 in the amount of \$130.00.  
The Director is hereby authorized to charge any additional fees which may be required by this paper, or credit any overpayment, to Deposit Account No. 11-1158. A duplicate of this petition is attached.

Date: 5/8/06

Maurice Klee

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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/738,425	<b>FAX RECEIVED</b>  <b>MAY 08 2006</b>
	Filing Date	December 16, 2003	
	First Named Inventor	Ames	
	Art Unit	1755	<b>OFFICE OF PETITIONS</b>
	Examiner Name	David R. Sample	
Total Number of Pages in This Submission	30	Attorney Docket Number	ADP-238

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks _____ Date of mailing of Notice of Allowance and Fee(s) Due: April 20, 2005, 2005 Attention: Mail Stop 313(c) Papers transmitted herewith: 1. Transmittal Form (PTO/SB/21; 1 page; this page) 2. Petition Under 37 CFR §1.313(c) Withdrawal From Issue--Issue Fee Paid (1 page; 2 copies) 3. Request for Continued Examination (RCE) Transmittal (PTO/SB/30; 1 page; 2 copies) 4. Supplemental Information Disclosure Statement (with attached Exhibits A-C; 25 pages)		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Maurice M. Klee, Ph.D.	
Signature	<i>Maurice Klee</i>	
Printed name	Maurice M. Klee, Ph.D.	
Date	May 8, 2006	Reg. No. 30,399

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below:		
Signature	<i>Maurice Klee</i>	
Typed or printed name	Maurice M. Klee, Ph.D.	Date May 8, 2006

This collection of information is required by 37 CFR 1.6. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.